

Notice of Allowability

Application No.

09/928,273

Examiner

Yemane M. Gerezgiher

Applicant(s)

RALSTON ET AL.

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/01/2006.
2. ☒ The allowed claim(s) is/are 1-30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Allowable Subject Matter

1. Claims 1-30 are allowed.

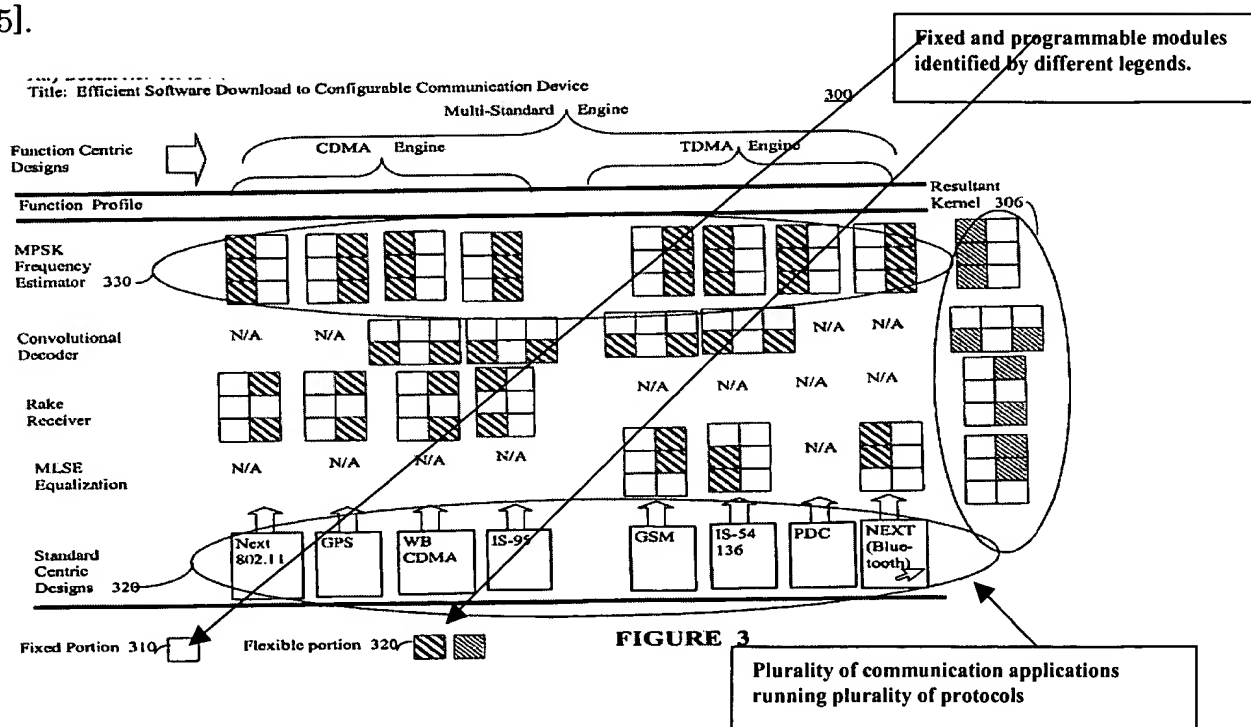
The following is an examiner's statement of reasons for allowance:

The closest prior art of record issued to Bertacchi (U.S. Patent Number 6,097,950) disclosed a global roaming in a cellular communication network. The cellular network supporting a wireless communication device adapted to communicate using a non-compatible air/communication protocol (see abstract and Column 2, Lines 14-60). Furthermore, a patent issued to Phillips (U.S. Patent Number 6,188,898) disclosed a mobile communication network capable of serving mobile terminals having therein different communication protocols, where a base station identifies the compatibility of a wireless mobile device so that the base station is configured to enable the mobile station to communicate over the cellular network according to the identified communication protocol of the mobile device (see abstract, Column 1, Line 55 through Column 2, Line 34).

However, none of the prior art of record taken singularly or in combination teaches or suggests configuring a wireless communication device on a cellular communication network; by receiving a request from a wireless communication device to be configured to run one of plurality of communication applications of one of a cellular communication protocols, the wireless communication device having therein plurality of function blocks (modules) with fixed portion and programmable portion; the plurality of function modules been capable of supporting plurality of

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communication applications utilizing plurality of communication protocols; providing functions that are common to the function modules in the fixed portion and functions that vary between the function modules been provided in the programmable portion; evaluating a capability of the fixed and programmable portions of the wireless communication device for implementing the communication application and transmitting configuration information only for the programmable portion of the hardware of the wireless communication device to enable it to run the requested communication application; and transmitting identification of the application to the wireless communication device as recited in claims 1,10 and 23. The specification fully supports the functional limitations recited in these claims [see Specification, Fig. 3 (also disclosed below), Figs. 4A-B, and 5A-B, Page 4, Line 1 through Page 5, Line 4, page 7, Lines 4-27 and Page 23, Line 22 through Page 27, Line 15].



Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yemane M. Gerezgiher whose telephone number is (571) 272-3927. The examiner can normally be reached on 9:00 AM - 6:00 PM Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached at (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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